Review of Administrative Laws

1614. SHRI RAHASBIHARI BARIK: Will the PRIME MINISTER be pleased to state:

(a) whether steps have been taken by Government to review the old laws in the country;

(b) whether a commission has been setup for the purpose; and

(c) if so, the details of the work done in the above matter?

THE MINISTER OF STATE IN THE MINISTRY OF PLANNING, MINISTER OF STATE IN THE MINISTRY OF STATISTICS AND PROGRAMME IMPLEMENTATION AND MINISTER OF STATE IN THE DEPARTMENT OF ADMINISTRATIVE REFORMS AND PUBLIC GRIEVANCES OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS (SHRI ARUN SHOURIE): (a) to (c) A Commission on Review of Administrative Laws was set up by the Government on 8 May, 1998 with the following terms of reference:

(i) To undertake an overview of steps taken by different Ministries/Departments for the review of administrative laws, regulations and procedures administered by them, and the follow-up steps thereafter, for repeal and amendment.

(ii) To identify, in consultation with Ministries/Departments and client groups, proposals for amendments to existing laws, regulations and procedures, where these are in the nature of law common to more than one Department, or where they have a bearing on the effective working of more than one Ministry/Department and State Governments, or where a collectivity of laws impact on the performance of an economic or social sector, or where they have a bearing on industry and trade.

(iii) To examine, in the case of selected areas like environment, industry, trade and commerce, housing and real estate, specific changes in existing rules and procedures so as to make them objective, transparent and predictable.

(iv) To make, on the basis of this exercise, recommendations for repeal/amendments of laws, regulations and procedures, legislative process etc.

The Commission submitted its report on 30 September, 1998.

2. The Commission, *inter-alia*, has recommended for repeal of 1382 Central Laws of different categories out of about 2500 Laws in force, as listed below:

(i) 166 Central Acts (including 11 Pre-Nationalisation Acts and 20 Validation Acts).

(ii) 315 Amendment Acts.

(iii) 11 British Statutes still in force.

(iv) 17 war-time Permanent Ordinances.

(v) 114 Central Acts relating to State subjects.

(vi) 700 Appropriation Acts (approximately) passed by Parliament.

(vii) 35 Reorganisation Acts.

(viii) 12 Laws applicable to High Courts.

(ix) 12 Personal Laws.

3. The Commission has recommended the repeal of the above mentioned Acts etc. on the ground that these Acts have become either irrelevant or dysfunctional. The Commission has also recommended amendments to be carried out in various Acts including amendments in respect of a list of 109 Central Acts considered particularly relevant to their terms of reference. Copies of the Report of the Commission were sent to all Ministries/Departments of the Government of India and Chief Secretaries of State Governments/UTs in November, 1998 for examination of the various recommendations and for devising suitable action plan for implementation of the recommendations.

4. Most of the Ministries have initiated action to bring out suitable amendments/modifications in the Acts and Laws etc. being administered by them. They have also initiated action on repeal of the irrelevant and dysfunctional laws, Acts etc. The follow-up action on implementation of the recommendations of the Commission is being monitored on a regular basis by the Department of Administrative Reforms and Public Grievances and the Legislative Department (Ministry of Law, Justice and Company Affairs). The Government

has also set up a Standing Committee under the Chairmanship of Secretary (Personnel) to monitor the follow-up action on the recommendations of the Commission.

Amendment of Recruitment Rules for the post of AE in MCD

1615. SHRI GHUFRAN AZAM: Will the PRIME MINISTER be pleased to state:

(a) whether it is a fact that a proposal received from the Municipal Corporation of Delhi for amendment of Recruitment Rules for the post of Assistant Engineers (Civil) is lying pending with the U.P.S.C. since long;

(b) is so, since when; and

(c) whether the U.P.S.C. would concur in the proposal and what would be the crucial date of seniority in the case of Diploma Holder Junior Engineers (Civil) who have acquired their Degrees after their joining M.C.D. and whose names have also been included in the list of direct recruits of Degree Holder Junior Engineers (Civil)?

THE MINISTER OF STATE OF THE MINISTRY OF SMALL SCALE INDUSTRIES, AGRO AND RURAL INDUSTRIES, MINISTER OF STATE OF DEPARTMENT OF PERSONNEL AND TRAINING, DEPARTMENT OF PENSIONS AND PENSIONERS WELFARE OF THE MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSIONS AND MINISTER OF STATE IN THE DEPARTMENTS OF ATOMIC ENERGY AND SPACE (SHRIMATI VASUNDHARA RAJE): (a) to (c) A proposal for amendment of Recruitment Rules for the post of Assistant Engineer (Civil) in M.C.D. was received in U.P.S.C. on 25.2.1999 and is under process. The same can be finalised only after receipt of clarification/complete documents/information. It has been informed by M.C.D. that the question of preparation of separate seniority list of Degree holder and Diplome Holder Junior Engineers (Civil) will be dealt with only after the Recruitment Rules have been approved by the U.P.S.C. and notified in the Official Gazette.